

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:	:	Case No. 20-22898-CMB
RONALD G. LINABURG,	:	Chapter 11
Debtor.	:	Related to Doc. Nos. 134, 363, 375, 376, and 382, and Claim Nos. 12-3, 13-3, and 14-3.

**STIPULATION AND CONSENT ORDER RESOLVING PENDING
DISPUTES BETWEEN DEBTOR AND MINORITY SHAREHOLDERS**

Renee R. Kalp, D.M.D., Ronald E. Hand D.M.D., and Rebecca L. Watkins, D.M.D. (together, the “**Minority Shareholders**”) and the Debtor, Ronald G. Linaburg (“**Debtor**” and together with the Minority Shareholders, the “**Parties**”), file this Stipulation and Consent Order Resolving Pending Disputes Between Debtor and Minority Shareholders (the “**Stipulation**”)

WHEREAS, on October 9, 2020, the Debtor filed a petition for relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. § 101 *et seq.* (the “**Bankruptcy Code**”) at the above-captioned case number.

WHEREAS, on March 10, 2021, the Minority Shareholders and Diana M. Dongell, D.M.D. (“**Dongell**”) filed a (1) Motion for Leave to File Objection to Exemptions (the “**Exemptions Motion**”) [Doc. No. 134], and (2) Motion to Extend Time to Object to Dischargeability and/or Discharge (the “**Discharge Motion**”) [Doc. No. 135].

WHEREAS, the Debtor filed objections to the Exemptions Motion and Discharge Motion on March 29, 2021 [Doc. Nos. 162 and 163].

WHEREAS, on April 13, 2021, the Minority Shareholders filed individual Proofs of Claim on the Claim Register of the above-captioned case at Claim Nos. 12, 13, and 14, each of which was amended on May 3, 2021, and again on September 13, 2021 (the “**Amended Proofs of Claim**”).

WHEREAS, on October 8, 2021, the Debtor filed an objection to each of the Amended Proofs of Claim (the “**Amended Claim Objections**”) [Doc. Nos. 375, 376, and 382].

WHEREAS, on November 11, 2021, the Minority Shareholders filed responses to the Amended Claims Objections [Doc. Nos. 435, 436, and 437].

WHEREAS, on September 21, 2021, the Minority Shareholders and Dongell filed a Motion to Strike Without Prejudice Debtor’s Amendments for Non-Compliance with the Court’s Rules and Orders (the “**Motion to Strike**”) [Doc. No. 363].

WHEREAS, the Debtor filed a response to the Motion to Strike on October 8, 2021 [Doc. No. 371.]

WHEREAS, on November 15, 2021, the Debtor, the Minority Shareholders, and Dongell filed a Stipulation and Consent Order Extending the Deadline to Object to Dischargeability, resolving the Discharge Motion and extending the deadline to object to dischargeability to January 17, 2022, and the Court approved the stipulation on November 16, 2021 [Doc. Nos. 449 and 550].

WHEREAS, as of the date of this Stipulation, the Amended Claim Objections and the Motion to Strike remain pending before this Court.

WHEREAS, on January 18, 2022, the Debtor filed a Motion to Approve Mutual Release Agreement (the “**9019 Motion**”), wherein the Debtor and Minority Shareholders indicated that they reached a global resolution of their disputes and that they wished to enter into a Mutual Release Agreement (the “**Mutual Release**”) [Doc. No. 500].

WHEREAS, pursuant to the Mutual Release, the Minority Shareholders agreed to, *inter alia*, withdraw the Amended Proofs of Claim, the Exemptions Motion as to Renee R. Kalp, D.M.D., Ronald E. Hand, D.M.D., and Rebecca L. Watkins, D.M.D. **only**, and the Motion to Strike as to Renee R. Kalp, D.M.D., Ronald E. Hand, D.M.D., and Rebecca L. Watkins, D.M.D. **only**.

WHEREAS, no objections to the 9019 Motion were filed. *See* Doc. No. 509.

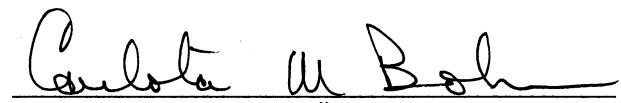
WHEREAS, the Parties now request that this Honorable Court issue an Order granting the 9019 Motion and withdrawing the Amended Proofs of Claim, the Exemptions Motion as to Renee R. Kalp, D.M.D., Ronald E. Hand, D.M.D., and Rebecca L. Watkins, D.M.D. **only**, and the Motion to Strike as to Renee R. Kalp, D.M.D., Ronald E. Hand, D.M.D., and Rebecca L. Watkins, D.M.D. **only**.

AND NOW, based upon the foregoing, and with the Parties intending to be legally bound, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The Motion to Approve Mutual Release agreement filed at Doc. No. 500 is ~~*~~
GRANTED.
2. The proofs of claim filed at Claim Nos. 12-3, 13-3, and 14-3 are **WITHDRAWN**, and the Debtor's Amended Claim Objections filed at Doc. Nos. 375, 376, and 382 are **DENIED AS MOOT**.
3. The Motion for Leave to File Objection to Exemptions filed at Doc. No. 134 is **WITHDRAWN** as to Renee R. Kalp, D.M.D., Ronald E. Hand, D.M.D., and Rebecca L. Watkins only.
4. The Motion to Strike Without Prejudice Debtor's Amendments for Non-Compliance with the Court's Rules and Orders filed at Doc. No. 363 is **WITHDRAWN** as to Renee R. Kalp, D.M.D., Ronald E. Hand, D.M.D., and Rebecca L. Watkins only.
5. The terms of this Stipulation may not be modified, revised, altered or changed to any extent, without the express written consent of both Mainline and the Debtor.

6. This Court shall retain jurisdiction over this matter to enforce the terms of this Stipulation.

SO ORDERED:



HON. CARLOTA M. BÖHM
CHIEF U.S. BANKRUPTCY JUDGE

FILED
2/17/22 9:54 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

STIPULATED AND AGREED TO BY:

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Counsel for Ronald G. Linaburg

Dated: February 16, 2022

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D.M.D., and Rebecca L. Watkins, D.M.D.*

Dated: February 16, 2022

*
- Order entered on 2/14/22 granting this Motion .

In re:
Ronald G Linaburg
Debtor

Case No. 20-22898-CMB
Chapter 11

District/off: 0315-2
Date Rcvd: Feb 17, 2022

User: auto
Form ID: pdf900

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Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 19, 2022:

Recip ID	Recipient Name and Address
db	+ Ronald G Linaburg, 924 Valleyview Road, Pittsburgh, PA 15243-1022

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 19, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 17, 2022 at the address(es) listed below:

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Carolyn Batz McGee	on behalf of Defendant Diana M. Dongell D.M.D cbmcgee@porterwright.com, tturoczy@porterwright.com
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